

2013 MAY -1 AM 11:17

CLERK OF DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY WPO DEPUTY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

IIPAY NATION OF SANTA YSABEL,  
a federally recognized Indian tribe,

Plaintiff,

v.

CALIFORNIA GAMBLING  
CONTROL COMMISSION, an agency  
of the State of California,

Defendant.

Case No. 12-cv-01876-BEN-RBB

**ORDER GRANTING JOINT  
MOTION TO DISMISS**

[Docket No. 42]

**ORDER**

Based on the stipulation of the parties to this action, and good cause  
appearing,

IT IS HEREBY ORDERED THAT:

1. The above-titled action is dismissed with prejudice with respect to the  
Iipay Nation of Santa Ysabel and the California Gambling Control Commission.

2. The above-titled action is dismissed without prejudice to the Yavapai-  
Apache Nation to claim against the Iipay Nation of Santa Ysabel its costs of suit

1 and its attorney's fees incurred in this action, as provided in Federal Rule of Civil  
2 Procedure 54.

3 **IT IS SO ORDERED.**

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5 DATED: 5/1, 2013

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7 HON. ROGER T. BENITEZ  
8 United States District Judge  
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